

BOARD OF DIRECTORS

Orville Downer
Randy Franke
Ken Morin
Wayne Miller
Bernie Otjen

CHIEF OF DISTRICT

J. Kevin Henson



FOUR CORNERS STATION
MIDDLE GROVE STATION
PRATUM STATION
MACLEAY STATION
BROOKS STATION
CLEAR LAKE STATION
LABISH CENTER STATION
COLLEGE STATION

**MARION COUNTY FIRE DISTRICT
BOARD OF DIRECTORS MEETING MINUTES**

Meeting Minutes

February 16, 2011

300 Cordon Rd NE

7:00 pm

The Board meeting was called to order at 7:00 PM by Director Randy Franke. Other board members in attendance were Bernie Otjen, Orville Downer, Ken Morin and Wayne Miller (via phone). Others present were Chief Henson, Assistant Chief Robinson, BC Batchelor, Bob Palmer, Capt. Dave Zahn, Kris Boyer, Andi Batchelor, Mark Wiesner, Mick Linder, Jon Louthan, Capt. Don Zielinski, Steve Weltz, Kathy Puckett, Cindy Brammer, Wayne Weaver, Bill Walters, Patrick Anderson, Ian Kelley, Ron Lee, Jerrod Schuch, Jeremy Kraemer, Karen Beckmann, Zach Zielinski, Jordan Zielinski, Bill Sterett, Jon Crow, Scott Smith, Keith Storms, Bill Dyer, Mike Anderson, Matt DeFrancisco, Kris Williams, Alison Palmer, Damon Frutos, James Mulhern, Sherry Mulhern, Greg Doeden. Bret Peterson, Gene Fiebich, Herb Swett (Keizertimes) and Anna Kraemer (recording secretary).

Director Franke advised those in attendance that a public comment sign-up sheet was available for those who would like to address the board.

Agenda: Addition to New Business: Board Policy 103. Agenda approved as amended.

Minutes: Minutes amended: call to order is listed as Director Ken Morin. Minutes should read that Director Franke called the meeting to order. Motion to approve the minutes of January 19, 2011 as amended made by Director Otjen. Seconded by Director Morin. Unanimous.

Financials: No discussion.

Proclamations, commendations, special report, visitors, and awards:

1. Chief Walters preferred that no party or fanfare take place as recognition for his 38 years of service to the Fire District. In keeping with Chief Walter's wishes, Chief Henson honored Deputy Chief Bill Walters with a shadow box plaque and badge at the volunteer association meeting last night. He was also recognized during this meeting and thanked for his many years of service.

Organizational Input

Volunteer Association:

1. Capt. Dave Zahn introduced five of the eight new recruits who graduated from our firefighter academy last week: John Graham, Colton Groat, Mark Krivoy, Brendan Ruiz, and Keith Trine.
2. The Brooks Breakfast is scheduled for March 12th and 13th from 7 am, to 1 pm.

Union Report:

1. President Boyer stated that the investigation into the Chief's accident was incomplete, stating that the Board's action at the joint meeting was a double standard and is a workplace safety issue.

Chief's Report:

1. The Brooks Breakfast is scheduled for March 12-13. Parking for this year is of concern due to the construction at the facility.
2. The first thirty days of Medic 33 data is available as outlined in the memo from Capt. McMann. Recent data indicates that Medic 33 is capturing additional revenue; we captured 50 new calls in this 30-day period that would not previously have been captured. This data suggests that M33 is breaking even, but the confirmed numbers will not be available until after ambulance billing results are known. Of the 50 additional calls, 17 of them would have been lost if EMS transport had been given to Keizer Fire. A decision will need to be made soon in regard to M33 and Keizer Fire as there are clearly ramifications for both fire districts.
3. Marion County Fire District was awarded a Fire Act Grant award in the amount of \$378,533 for the purchase of eight cardiac defibrillators, carbon monoxide monitoring, and electronic patient records management. Electronic records will be a Medicare requirement by 2014 and the District goal is to be in compliance by next year. The District will need to contribute a 10% match to the grant which will need to be budget in the next fiscal year in EMS capital outlay. Turner Fire applied for an identical grant, but no information has been received to date.
4. Keizer Fire District acquired several houses for use in training exercises. They offered one to MCFD for training and Capt. Riley and ATO Brian Woodley prepared the property for live fire training and eleven interior burns were performed in the structure for training of the new recruits. MCFD and KFD may have a joint training fire on another structure in the near future.
5. A new academy of recruits graduated last week and have received their station assignments. They attended their first Volunteer Association meeting last night.
6. Chief Henson reported on the Willamette Lutheran Home talent show. It is a great event; participants are very lively and appreciative of our involvement. Judges for the talent show included Chief Henson, Keizer Police Chief Mark Adams, and Keizer City Councilor Joe Egli.
7. The firefighter stair climb takes place in Seattle March 5-7. The team this year consists of Patrick Anderson, BC Kim Batchelor, Damon Frutos, Jon Kettering, Scott Wildfang, Billy Rogers, Joey Wiegand, Miguel Bautista, Jeremy Shearer, and Ron Hicks. The team's fundraising goal is \$10,000. BC Batchelor reported that the event consists of climbing 69 flights of stairs in full gear with airpaks. The team sponsor from previous years recently passed away due to leukemia and this year the team will be participating in her honor.
8. Eleven new QTOD volunteers have recently graduated. QTOD is a group of EMT basic certified volunteer firefighters who receive additional EMS training and are partnered with career paramedics through a FTO program.

9. MCFD received a thank you letter from Mt. Angel Assistant Chief Don Seiler regarding Engine 735 response to a mutual aid incident with Mt. Angel fire on February 10th. Chief Seiler stated in his letter that great effort was put forth by our firefighters to help contain the fire. Chief Henson expressed his appreciation for responders Zach Zielinski, Grant Feetham, and Gerod McElroy.
10. The Turner board meeting scheduled for tomorrow night has been canceled due to lack of a quorum of board members.

Old Business: None

New Business:

1. Consideration of Board Policy 103: Agenda Structure. The WVFRA board appointed a subcommittee to review current policy on agenda structure, and Director Franke asked that the MCFD board appoint a member to the same in an effort to improve communications. *Director Otjen made a motion that the board chair appoint a representative from the MCFD board to the subcommittee to review board policy 103. Seconded by Director Morin. Unanimous.* Director Franke appointed Director Morin to serve on the subcommittee.
2. The Board directed staff last month to make contact with budget committee member Jerry Sheetz and interested party Sue Curths regarding service on the budget committee. Both parties have agreed to serve on the committee. Jerry Sheetz is a current budget committee member and Sue Curths was an applicant for a board vacancy last year who indicated interest in serving in another capacity. At tonight's meeting, Mark Wiesner stated that he would be interested in serving as well. After discussion, *Director Otjen made a motion to reappoint Jerry Sheetz to the budget committee. Seconded by Director Morin. Unanimous. Director Morin made a motion to appoint Sue Curths to the budget committee. Seconded by Director Downer. Unanimous.* Director Franke asked Mark Wiesner if he would be interested in serving as an alternate budget committee member, and he agreed. *Director Downer made a motion that Mark Wiesner be appointed as alternate budget committee member. Seconded by Director Otjen. Unanimous.*
3. Disposal of surplus radio and EMS equipment to be tabled until the March board meeting. BC Wineman led this project and is unavailable to make a report tonight.
4. Public Contracting Rules were adopted by this board in 2006. Legislative changes have been made which will require the District to adopt an update to these rules. A comprehensive update has been prepared by legal counsel and is available to the district at a cost of \$400. *Director Otjen made a motion to purchase the required update. Seconded by Director Downer. Unanimous.*
5. Options for a local option levy have been discussed at previous meetings, including renewal at the current rate of .16/1000, up to .80/1000. The current option at .16/1000 generates between \$365k - \$385k in revenue annually for operations. The decision to seek renewal or increase of the levy should be weighed against the current economic situation. Director Franke asked for input from the Volunteer Association and the Union regarding support internally for a levy option. Volunteer Association president Capt. Dave Zahn stated that the association is unlikely to be supportive of a levy increase or renewal at this time due to our current economic conditions. Union president Capt. Kris

Boyer stated that the union understood that a renewal at the current rate is what was discussed during the budget reset.

- a. Bob Palmer asked for clarification on the current total tax rate. The current rate for MCFD is \$2.42/1000, inclusive of permanent rate, levy, and bond. Mr. Palmer further asked what amount the District would need to maintain services.
 - b. Chief Henson answered that the .16/1000 maintains the services now after the \$1.7m in cuts had been made, but that those cuts are not sustainable. For the District to return to pre-budget cut levels, the levy amount would need to be .80/1000, generating roughly \$1.8m in revenue for operations.
 - c. Jon Crow asked the board if passing levy would guarantee that positions are maintained. Director Franke stated that employee layoffs are a last resort, but that a guarantee could not be made as future challenges are unknown. Director Otjen added that future unknowns, such as PERS or similar requirements, could have impacts that would affect the budget unexpectedly.
 - d. Bob Palmer stated that perception is that the budget shortfall of \$1.7m being resolved was done so due to “found money” in the public’s eye. Chief Henson stated that yes, that may be a perception and that the District needs to be open about the substantive cuts, including wage concessions, and Memorandums of Understanding that allowed for those cuts to be made.
 - e. Director Otjen stated that a local option levy on the ballot while considering an Urban Services Agreement (USA) with Salem would not be wise. He stated that the decision is either to explore a USA and not seek a levy, or seek a levy and not explore a USA. It is one or the other.
 - f. Director Franke added that the goal is to provide quality service to citizens. If that is done by exploring a USA, then that is a consideration.
 - g. Chief Henson stated that if the board wishes to explore a USA, Salem Fire Dept. would like something in writing from the board authorizing those discussions.
 - h. *Director Otjen made a motion to leave the local option levy as is and directs Chief Henson to pursue the Urban Services Agreement discussions with Salem Fire for the area within the urban growth boundary. Seconded by Director Downer. Unanimous.*
6. The Urban Services Agreement to be discussed with Salem will focus on fire services. If EMS services are included, ambulance revenue would be impacted. The Ambulance Service Area renewal will expire in December 2012 and the commission is considering bidding the entire county to one provider, or allowing for another 5-year renewal if boundary issues between providers are resolved prior.
- a. Placing Medic 33 in service has negatively impacted Keizer Fire in terms of revenue and has also resulted in concerns of medic 33 response to the Clearlake area from Keizer Fire. Chief Cowan and Chief Henson were made aware of a 2007 agreement in which the EMS transports west of Interstate 5 would be assigned to Keizer Fire. Neither Chief Henson or Chief Cowan were aware of this previous agreement as it occurred prior to either Chief being appointed. The Chiefs have met and discussed the issue, and Chief Henson apologized for the awkward position this placed Keizer Fire in. Response personnel were immediately directed to honor the existing board-ratified agreement for calls west of I-5 and to contact the KFD captain when a call is tapped and offer the call first

to KFD. Any decision to end the existing agreement would need to be noticed with 30 days and approved by the board. He added that if the decision is not to invoke the 30-day notice, reports for revenue from March/April will likely appear as a net negative.

- b. Chief Henson added that the ambulance revenue is one issue, however tax revenue is a larger issue as the Clearlake area generates approximately \$500k annually in tax revenue for MCFD.
 - c. Director Franke stated that the subcommittee of MCFD directors and KFD directors have met and are discussing options for a win-win outcome. He furthered that there was no reason to make any quick decisions and recommended taking no action on the 30-day notice and recommend that Chief Henson move forward with discussions at the Chief level. Board consensus for Chief Henson to work with Chief Cowan to provide information to the joint subcommittee meeting on March 8th. Director Otjen will replace Director Downer for that meeting as he will be out of state.
 - d. Board consensus to appoint subcommittee to work with Chief Henson regarding the exploration of the Salem Urban Services Agreement. Directors Franke and Otjen appointed to the subcommittee.
7. The VHF operational frequency project has been live for the last 3 weeks. MCFD has shared a concern for several years about radio communications when personnel are on scene in a dangerous environment and calls are being dispatched on top of working channels. The solution was to create a new system, which is shared by all agencies, so that calls are dispatched on a common channel and then assigned to one of 3 working incidents. Chief Henson commended BC Wineman and BC LoSasso for attending these meetings and bringing together stakeholders from Polk and Marion counties.
 8. An updated volunteer roster was provided for information. Capt. Riley and ATO Woodley have been working to revise volunteer job descriptions as well as revising competency requirements for our volunteers.

Good of the order:

1. Kris Boyer asked when the seismic upgrade of Station 1 would be coming back on the agenda before the board. Chief Henson stated that the long term discussion for Station 1 is connected to the Urban Services Agreement discussion. If resources are to be relocated as a result of a USA, the decision to expend funds on the Station 1 campus may not be wise. Director Franke added that in the November election, Salem annexed the property directly across the street from Station 1 and that future use is unknown.
2. Bob Palmer asked about the plan for replacing the engines at Stations 3 and 7. Chief Henson responded that the replacement has been put on hold until there is a commitment of the second \$5m of bond funds. The bond funds can be used to replace equipment, or to replace Station 1, but that there are not enough funds to do both. Station officers are aware that the project has been placed on hold until a decision is made.
3. Director Franke stated that he appreciated the discourse and discussion this evening. The questions and input were very valuable. Director Franke stated that he spoke before the Volunteer Association last night, and had the same discussion. He added that he felt the need to explain his vote at the joint meeting on February 7th. Director Franke stated that he was surprised and shocked by the behavior of a former board member, which affected

him for the rest of the meeting. It is possible two persons can look at the same issue and come away with a different perspective. The thoughts from that meeting were put into writing and shared district-wide. Director Franke then read the distributed letter into record.

- a. In regard to the firearm, WVFRA consented to the Chief, carrying a firearm while on duty on district property, and in district vehicles following threats and incidents that occurred in the summer of 2009. These incidents included personal threats on blogs, Chief Henson's house being broken into twice, office break in's and computer hacking, his then-girlfriend being followed, and office staff being followed. If there was a mistake made it was in not setting a timeline on the authorization to carry a firearm.
 - b. In regard to the allegation that Chief Henson was not needed to respond, Director Franke stated that Chief Henson responded appropriately and that, firefighter safety is always a top concern.
 - c. In regard to seatbelt use, this issue has been discussed at length. The Sheriff's office report included black box data, which are generally accurate, but not infallible. Physical evidence to the contrary existed and was not included in the police report. The hospital trauma nurse identified bruising patterns consistent with a shoulder and lap seat belt placement, as well as other eyewitnesses. These records have been released.
 - d. Director Franke stated that he appreciated the statement by James Mulhern that the union does not support negative blogging. Several of these blogs accuse Chief Henson of lying about parts of the accident. Chief Henson has also been accused on these blogs of drug and alcohol use contributing to the accident. Chief Henson voluntarily submitted to drug and alcohol testing upon arrival in the emergency department and those results were negative on all counts except for those medications which were administered at the hospital.
 - e. Director Franke stated that he was only sharing his rationale for the way that he voted at the joint board meeting and not trying to convince others of this information.
4. Chief Henson stated that he was intentionally publicly quiet for 30 days after the crash. Because an internal investigation was underway it was not appropriate for him to comment. Now that the investigation has concluded, Chief Henson stated that he is willing to talk one-on-one to individuals that have questions. He furthered that he has talked to all three shifts of career personnel and to the volunteers last night. Chief Henson stated that he is sorry and regrets that the crash ever occurred.
 5. Andi Batchelor asked why the board did not provide Chief Henson with a bulletproof vest rather than authorize him to carry a firearm if he felt threatened. She also asked why the board believed that the black box was incorrect regarding the seatbelt issue but correct regarding the speed recorded. Director Franke responded that the issue of speed as it related to discipline was based on Chief Henson's admission that he likely violated the District policy for speed (posted speed may be exceeded by 10 mph) and not solely on the black box information.
 6. Jon Louthan stated that in his Tour of Duty experience on E315, seatbelts are not always worn by personnel, and that he had read all of the reports and believes that those who witnessed seatbelt injuries are trustworthy individuals, including our Chaplain. He

furthered that exceeding the 10mph policy is common during code 3 responses, and that Chief Henson was not the only one doing this.

7. Director Franke agreed that there are policies that need to be reviewed and improved.

Next Meeting: March 16, 2011, 7:00 pm, 4910 Brooklake Rd NE, Brooks

Meeting adjourn: 9:30 pm

MCFD No.1 Board President

MCFD No.1 Board Secretary